

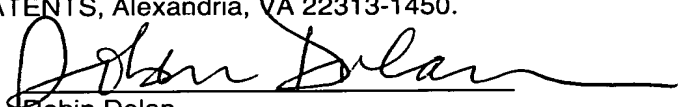
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Whitman, et al.**
Application No.: **09/836,781**
Attorney Docket No.: **3556-P03147US0**
Filed: **April 17, 2001**
For: **"ELECTRO-MECHANICAL SURGICAL DEVICE"**
Examiner: **Tran, Louis B.**
Group Art Unit: **3721**

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Response and accompanying papers are being deposited on **March 1, 2004** with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS, Alexandria, VA 22313-1450.

March 1, 2004
Date of Certificate

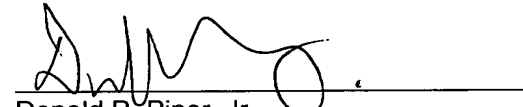


Robin Dolan

Petition for Extension Under 37 CFR §1.136(a)

Applicants' undersigned Attorney hereby petitions for an extension of time of **THREE** months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

March 1, 2004
Date of Certificate



Donald R. Piper, Jr.
PTO Registration No. 29,337

AMENDMENT

In response to the Official Action dated September 5, 2003, please amend the above-identified application as indicated on the following pages.

The amendments to the **claims** begin on **page 2**.

The **remarks** concerning the office action and Applicants' amendments begin on **page 12**.

61

RCE



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: COMMISSIONER FOR PATENTS Mail Stop RCE Alexandria, VA 22313-1450.	Application No. 09/836,781
	Filing Date: April 17, 2001
	First Named Inventor: Whitman, Michael, P.
	Group Art Unit: 3721
	Examiner Name: Tran, Louis B.
	Attorney Docket No. 3556-P03147US0

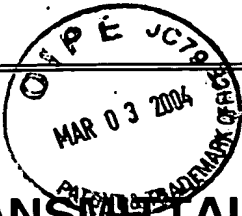
This is a request for a continued examination under 37 C.F.R. 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. §1.114
 - a. Previously filed
 - i. Consider the unentered amendment/reply previously filed on _____
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement
 - iv. Other _____
2. Fee Transmittal Sheet is enclosed in duplicate.
3. Request for extension: Pursuant to 37 C.F.R. §1.136, Applicant(s) request a three-month extension for filing a response to the outstanding Official Action.

RECEIVED
MAR 09 2004
TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY or AGENT	
Donald R. Piper, Jr. P.T.O. Regis. No.29,337	Phone (215) 563-4100 Fax (215) 563-4044

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Mail Stop RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:	
3/11/04	
Date	Robin Dolan



FEE TRANSMITTAL

Complete if known

Application Number: 09/836,781

Filing Date: April 17, 2001

First Named Inventor: Whitman, Michael, P.

Group Art Unit: 3721

Examiner Name: Tran, Louis B.

Total Amt. of Payment: (1)+(2)+(3)= **\$860**

Attorney Docket Number: 3556-P03147US0

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

Charge indicated fees

Charge additional fees

Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

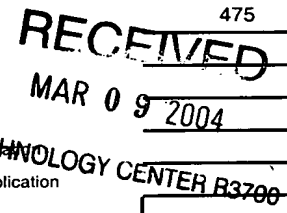
2. Payment enclosed:

Check in the amount of \$860

FEE CALCULATION (continued)

ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	_____
Surcharge - late provisional filing fee or cover sheet	_____
Extension for response within third month	475
Notice of Appeal	_____
Filing a brief in support of an appeal	_____
Request for oral hearing	_____
Petition to revive unavoidably abandoned application	_____
Petition to revive unintentionally abandoned application	_____
Issue fee	_____
Petitions to the Commissioner	_____
Petitions related to provisional applications	_____
Submission of Information Disclosure Stmt.	_____
Recording each patent assignment per property	_____
Other fee (specify) <u>RCE</u>	385



FEE CALCULATION

1. FILING FEE	Fee
Utility filing fee	_____
Design filing fee	_____
Plant filing fee	_____
Reissue filing fee	_____
SUBTOTAL (1)	\$0

SUBTOTAL (3) \$860

	Paid	Extr	Fee
Total Claims	44	-44 = 0	x 9 = 0
Independent Claims	4	-4 = 0	x 43 = 0
Multiple Dependent (First presentation)			
SUBTOTAL (2)			\$0

Submitted By:

Typed or

Printed Name Donald R. Piper, Jr.

Reg. Number 29,337

Signature

Date March 1, 2004

Deposit Account User ID

04-1406